



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Donald W. Underwood
(703) 308-1112 (ph)
Applicants: Kevin D. Kaschke, Phillip G. Spaniol, and Steven J. Spaniol
Intl. Appl. No.: PCT/US98/18376 *Docket No.:* FT0002R
Intl. Filing Date: 23 October 1998 *Priority Date:* None
Nat'l. Appln. No.: 09/830,005 *Group Art Unit:* 3652
Nat'l. Filing Date: 21 April 2001
Entitled: Agricultural Bale Accumulator And Method Therefor

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November 5, 2009

Amendment and Response

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

Responsive to the office action dated May 5, 2009 for the above-identified patent application, the applicant hereby submits the following amendment and response.

1. Application Status.
 - a. Under the present Final Office Action, claims 1-35 are pending in the application.
Previously, claims 36-60 have been withdrawn from consideration, without prejudice.
 - b. Claims 1-15 and 17-30 are rejected.
 - c. Claims 16 and 31-35 are objected to.
 - d. Claims 61 and 62 are allowed.
2. Examiner's rejection.
 - a. The examiner rejected claims 1-15 and 17-30 under 35 USC 103(a) as being unpatentable over the known baler system disclosed by the applicants on page 1, lines 22-31 of their specification or in Lundahl, et al. in view of Van Eecke, et al. (U.S. Patent No. 4,955,774) and Vellidus, et al. and Hale, et al.
 - b. The examiner states: "It would also have been obvious to replace the controls in the known baler system or in Lundahl with controls as claimed in view of the automatic controls in